

HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

STACEY RAY STACH,

Plaintiff,

v.

BRENDA J. LARSON, et al.,

Defendants.

CASE NO. C12-1521RAJ

ORDER

This matter comes before the court on a Report and Recommendation (“R&R”) from the Honorable Brian A. Tsuchida, United States Magistrate Judge. Dkt. # 4. The R&R recommends that the court DISMISS this case because Plaintiff has neither paid the filing fee nor submitted an application to proceed in forma pauperis.

Plaintiff has responded to the R&R not with objections, but with a series of filings that point out that he has another case pending in this District. *Stach v. Elfo*, No. 12-1803RSL. He also makes repeated reference to “Case No: 08-1-007668-9,” which the court can only assume is a state court case, although the record does not reveal which state court. Plaintiff appears to be attempting to make filings in the state court case in federal court. One of his filings includes an application for court-appointed counsel (Dkt. # 5) that suggests that Plaintiff believes he has already been granted in forma pauperis status, perhaps in the state court case.

1 Plaintiff's filings are difficult to comprehend, but none of them acknowledge his
2 failure to pay the filing fee or suggest that he has any intent to file a motion to proceed in
3 forma pauperis in this case. For that reason, the court ADOPTS the R&R and directs the
4 clerk to dismiss this case without prejudice.

5 DATED this 28th day of November, 2012.

6
7 
8

9 The Honorable Richard A. Jones
10 United States District Court Judge
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28